



Licensed Site Remediation Professional Program Overview

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The Old Days

More cases
than DEP
could handle

No
remediation
timeframes



Cases not
assigned
based on
priorities

Unassigned
cases

IEC cases
not being
addressed
quickly



*Technical
Guidance*

**Inspection
and
Review**

Stakeholders

**TECHNICAL
CONSULTATION**

**LSRP
Board**

**LSRP
Program**

**FINAL
RULES**

**Receptor
Evaluation**

FORMS

LSRPs

Timeframes

**COMPLIANCE
ASSISTANCE**

**RA
PERMITS**

Enforcement

**On
Going
Training**

**NJEMS /
Data Quality**



Site Remediation Reform Act (SRRA)

- Education and experience requirements for LSRPs
- LSRPs conduct remediation without SRP pre-approval (with some exceptions)
- Response Action Outcomes (RAO) replaced No Further Action Letters with some exceptions
- RAOs issued by LSRP
- Fees replaced Oversight Costs (with some exceptions)





Site Remediation Reform Act (SRRA) cont.

Established the Site Remediation
Professional Licensing Board

- Code of conduct
- Board – enforcement authority against LSRPs
- Remedial action permits
- Tasked DEP to establish mandatory time frames
- Direct Oversight





Governing Rules

Administrative Requirements for the Remediation of Contaminated Sites

N.J.A.C. 7:26C

- Who is obligated to conduct remediation
- What are the obligations of the person conducting remediation
- Mandatory timeframes
- Fees and oversight costs
- RFS and FA requirements
- Direct Department Oversight
- Remedial Action permitting requirements
- Administrative enforcement actions





Governing Rules

Technical Requirements

N.J.A.C. 7:26E

- Contain the “what” for the technical aspects of remediating sites
- Must be used in conjunction with technical guidances which contain the “how”
- Many of the required “milestone” documents (reports) are still required to be submitted
 - Preliminary Assessment/Site Investigation (PA/SI)
 - Remedial Investigation Report (RIR)
 - Remedial Action Workplan (RAW)
 - Remedial Action Report (RAR)





Governing Rules

Underground Storage Tank (UST) Rule

N.J.A.C. 7:14B

- 14,869 regulated USTs in NJ
- 5,871 regulated USTs undergoing remediation
- UST Rules – Specific administrative requirements
 - Registration requirements
 - Design, construction, installation
 - Closure requirements
 - Certifications
- UST Remediation requirements contained in Technical Requirements for Site Remediation





Governing Rules

Industrial Site Recovery Act Rule

N.J.A.C. 7:26B

- 1,996 ISRA sites undergoing remediation in NJ
- Program began in 1984 in response to numerous abandoned contaminated sites
- Only statute that requires an owner/operator to investigate and remediate the entire industrial site
- Environmental requirements apply or are “triggered” by a cessation of operation, or sale of business or property





Governing Rules

Industrial Site Recovery Act Rule

N.J.A.C. 7:26B

- ISRA Rule
 - North American Industry Classification System codes
 - Identify specific industries that are subject to ISRA
 - ISRA applicability
 - General Information Notice requirements
 - Alternate compliance options





Who is obligated to remediate using an LSRP?

(without prior DEP approval)

- Spill Act Responsible Parties
- UST owner/operator
- ISRA subject owner/operator
- Those required by Judicial or Administrative Order





Who does not have to retain an LSRP?

- Non-labile parties conducting due diligence
 - A person conducts a PA/SI to identify AOCs on property they do not own and for which they are not responsible for discharge(s)
- Landfills, unless...
 - there will be human occupancy
 - use public funds
 - they want an RAO
- Federal Facilities, Federal-Lead Superfund and RCRA
- Unregulated Heating Oil Tanks





Some Exceptions for State, County and Local Government

- If a Spill Act Responsible Party
 - Must meet all remediation requirements
- If a governmental entity with an exemption to responsibility under the Spill Act
 - When remediating, must retain LSRP
 - Exempt from timeframe requirements
 - Only pay annual remediation fees in years when actively remediating

www.nj.gov/dep/srp/general/srra_mun_man_time_frame.pdf





Roles & Responsibilities

Responsible Party

- Have an affirmative obligation to remediate contaminated sites in accordance with SRP's rules and guidances
- Retain LSRPs who will oversee remediation
- Adhere to regulatory and mandatory timeframes





What else are Responsible Parties required to do?

- Pay all fees and oversight costs
- Provide DEP access to the site
- Provide DEP copies of all reports
- Establish a Remediation Funding Source (if required)
- Obtain and comply with all necessary permits





Roles & Responsibilities

Licensed Site Remediation Professionals

- Oversee the remediation of contaminated sites in accordance with SRP's rules and guidances
- Established by SRRA, Subject to a strict "Code of Conduct" established by statute
- Must ensure the remediation is protective of public health, safety and the environment

**DEP has no enforcement authority over
LSRPs**





RESPONSE ACTION OUTCOME (RAO)

- Issued by LSRP to Responsible Party
 - Filed with the DEP
 - No DEP approval necessary
- The Department can invalidate RAOs, but only if:
 - The remediation is not protective
 - The remedial action renders a property unusable for future development or recreational use; or
 - A presumptive remedy is not implemented as required and the remedy is not protective
- RAO Invalidation is infrequent





Roles & Responsibilities

Site Remediation Professional Licensing Board

- Establishes licensing requirements for site remediation professionals
- Oversees the licensing and performance of LSRPs (Code of Conduct)
- Issues fines and penalties against LSRPs
- License suspension and revocation





Roles & Responsibilities

Site Remediation Program

- Inspection and Review of LSRP submittals
- Compliance Assistance
- Enforcement actions against responsible parties
- LSRP Board Referrals
- Direct Oversight (mandatory timeframe)
- Approve Remediation Funding Source and Financial Assurance
- Issue Remedial Action Permits for remaining soil and ground water contamination





Roles & Responsibilities

Site Remediation Program

- Work with stakeholders to develop technical and administrative guidance and address problems
- Conduct ongoing technical and administrative training
- Provide program updates via Listserv messages
- Provide Technical Consultation services
- Post program information and help-guides on SRP's web page





INSPECTION OF FORMS & REVIEW OF REPORTS

- Inspectors and Reviewers replace assigned Case Managers
- Department will inspect all LSRP forms instead of conducting detailed review of all reports
- Forms provide critical information about a site and help determine if more detailed review is needed
- Inspection/Review
 - Does not stop remediation process
 - LSRP does not need prior DEP approval (except under certain circumstances; i.e. radionuclide contamination, certain RCRA sites, DEP directs otherwise, etc.)





INSPECTION AND REVIEW PROCESS

- Reviews will be conducted on whole or part of a remediation report when a review “trigger” is identified
- Inspectors and reviewers work with LSRP and RP to resolve questions related to a case





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SRP Contacts

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- Listserv Archives
- Quick References Guide
- Rules
- SRP Data
- SRP Licensing Board
- Training
- All Other Topics -

Find an LSRP

Become an LSRP

SRP Mailing List

Site Remediation Program

May 2014 Remedial Investigation Deadline

May 2014 Remedial Investigation Extension

May 2014 Remedial Investigation Extension Reminders

The Site Remediation Reform Act set forth sweeping changes to the way in which sites are remediated in New Jersey. SRRA established the affirmative obligation for responsible parties to remediate contaminated sites in a timely manner and created a category of remediation professionals known as Licensed Site Remediation professionals (LSRP). For more information, please see the [Overview of the LSRP Program](#).

May 7, 2012 is the day on which the phase-in period for implementing the [Site Remediation Reform Act, N.J.S.A. 58:10C-1 et seq.](#) (SRRA), and related amendments to the [Brownfield and Contaminated Sites Act](#) (Brownfield Act), the [Spill Compensation and Control Act](#), and the [Industrial Site Recovery Act](#) ended.

As of May 7, 2012, with limited exceptions, all remediations in the state of New Jersey, without regard to when remediation was initiated, are to proceed under the supervision of a Licensed Site Remediation Professional (LSRP), without New Jersey Department of Environmental Protection (Department) approval following the nine requirements set forth at [N.J.S.A. 58:10B-1.3b\(1\) through \(9\)](#).

What's New!

September 16, 2015 CVP/SRAG Meeting
22 September 2015

Status Update:
Commingled Plume Technical Guidance
28 July 2015

Updated SRP Fees Fiscal Year 2016
15 June 2015

Updated Fill Material Guidance now available
1 May 2015

Notice of Remediation Standards (N.J.A.C. 7:26D) re adoption without change
28 April 2015

March 18, 2015 CVP/SRAG Meeting
2 April 2015